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146185 (553-1102)

### REMARKS

Claims 1-5, 7-18 and 20-30 are pending in this application. Claims 1-5, 7-18 and 20-30 are rejected. No new matter has been added. It is respectfully submitted that the pending claims define allowable subject matter.

As an initial matter, if this Amendment does not place the application in condition for allowance, Applicants respectfully request a telephone interview between the Examiner and the undersigned.

Claims 1-3, 5, 7-18 and 24-30 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McCartan et al. (U.S. Patent 6,270,460), hereafter McCartan in view of Wakabayashi et al. (U.S. Patent 5,487,386), hereafter Wakabayashi. Claims 4 and 20-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McCartan in view of Wakabayashi, and further in view of Ramamurthy et al. (U.S. Patent 7,156,551), hereafter Ramamurthy. Applicants respectfully traverse these rejections for at least the reasons set forth below.

Independent claim 1 recites a method for tracking use of an ultrasound probe including, “storing probe identification information and different types of tracking information within a memory in a connector of an ultrasound probe removably connectable to an ultrasound system, wherein the different types of tracking information include duration of use information and at least one of length of time between scans information and probe usage pattern information, the probe usage pattern information including at least a length of time for each use” and “accessing the stored tracking information within the connector of the ultrasound probe.” This claim requires that the usage pattern information that is stored and accessed include at least *a length of time for each use*.

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The Office Action concedes that McCartan does not teach the data stored being duration of use information and probe usage pattern information, but again asserts that Wakabayashi makes up for this deficiency. Applicants respectfully disagree.

The Office Action states that as the data is saved by a computer, it would be obvious to allow a user to track time for each use. In particular, the Office Action asserts that as the probe does store operation time, it would be obvious to store the start and finish time as the computer tracks the times it stores data (for instance, when saving a file the data and time the file was saved is known by the computer). Applicants submit that the operation time data is not stored by a computer such that start and finish times are ascertainable for each use.

In particular, Wakabayashi teaches a probe operation time monitoring unit 25 that accesses stored information in an EEPROM of probe connectors. Specifically, probe identification information and cumulative operation time information *stored in the EEPROM* are accessed and the cumulative operation time is compared to durable times and warning times for the particular probe (based on the identification information) to determine whether a warning should be provided to a user or whether the operation of the probe should be stopped. Additionally, the probe operation time monitoring unit 25 determines a current continuous operation time based on a timer 26 and then updates the cumulative operation time in the EEPROM such that the new sum is *written in the EEPROM*. Thus, the operation time information is written and stored in a memory, namely the EEPROM, and not in a computer.

Thus, even if the time at which the operation time information was written to the EEPROM could be determined, it would only be for the current cumulative information stored in the memory. Once the memory is again accessed and new updated cumulative operation time information written, this information would overwrite the old information, including the time that such time information was previously written. There is simply no way to determine probe usage information that includes length of time for *each use* with the storing of cumulative operation time in the EEPROM of Wakabayashi, as the only information accessible is cumulative operation time, which is based on the last overwrite. Thus, only a single instance of

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memory writing operation is accessible. Accordingly, determining any length of time for each use is not possible. None of the cited references teach any type of probe information storing arrangement that would allow storing of probe usage pattern information as claimed. Thus, Applicants submit that claim 1 is allowable.

Moreover independent claim 24 was previously amended to recite an ultrasound system including, among other elements "an ultrasound probe having a connector for removable connection to the ultrasound scanner, the connector having a memory for storing probe identification information and different types of tracking information, wherein the different types of tracking information include duration of use information, length of time between scans information, probe usage pattern information and mode of operation information, the probe usage pattern information including at least a length of time for each use." (emphasis added).

Applicants submit that independent claim 24 is allowable for at least the same reasons that claim 1 are allowable. Additionally, claim 24 requires that the connector have a memory for storing all of the different types of tracking information including duration of use information, length of time between scans information, probe usage pattern information and mode of operation information, wherein the probe usage pattern information includes at least a length of time for each use. The references relied upon to reject a claim must teach each and every claim recitation. None of the cited references, alone or in combination, teach or suggest all of the different types of tracking information as required by claim 24 and the Office Action had not cited to portions of the references that teach all of the claimed tracking information. Accordingly, Applicants submit that claim 24 is additionally allowable for also not reciting "at least one of".

Independent claim 20 has been amended to recite a method for tracking temperature information for an ultrasound probe that includes, in part "tracking use of an ultrasound probe storing the updated temperature information within the ultrasound probe, including at least one of probe temperature duration information or shut down information due to excessive temperature conditions."

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Applicants submit that the cited references fail to teach or suggest at least the above claim recitations. In particular, Applicants submit that similar to the deficiencies discussed above with respect to claims 1 and 24, adding the temperature measurement feature of Ramamurthy still does not render unpatentable claim 20. In addition, claim 20, as amended recites "probe temperature duration information or shut down information due to excessive temperature conditions." Applicants submit that the cited references additionally fail to teach or suggest this claim recitation. Accordingly, Applicants submit that claim 20 is allowable.

Applicants further submit that dependent claims 2-5, 7-18, 21-23 and 25-30 recite further subject matter not anticipated or rendered obvious by the cited references. For example, with respect to claim 30, although the cited references teach measuring probe usage time, none of the references teach or suggest storing length of time between scans information determined using a timer within the ultrasound probe that is configured to measure the time between when the ultrasound probe is removed and then connected to the ultrasound system. The configuration of the timers in the cited references provides time usage measurements during probe operation and not when the probe is not in use. Moreover, as discussed in more detail above, the time when the data is saved is not taught in the cited references.

Moreover, dependent claims 2-5, 7-18, 21-23 and 25-30 are likewise patentable based at least on the dependency of these claims from the independent claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the cited references neither anticipate nor render obvious the claimed invention and the pending claims in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

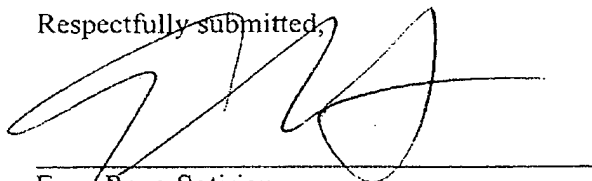
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Respectfully submitted,



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